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Letter dated 15 June 2010 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General

I have the honour to convey to you herewith a concept paper for the Security Council debate on children and armed conflict to be held on 16 June 2010 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Claude **Heller**
Ambassador and Permanent Representative of Mexico to the United Nations

10-40672 (E) 150610

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Annex to the letter dated 15 June 2010 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General

Concept note for the Security Council open debate on children and armed conflict to be held on 16 June 2010

Since 1999, the Security Council has repeatedly signalled its engagement on the issue of children and armed conflict. This has been clearly indicated by the adoption of seven thematic resolutions on children and armed conflict and a series of annual open debates coinciding with the annual report of the Secretary-General on children and armed conflict. Bearing in mind this unprecedented commitment of the Council, the Mexican presidency of the Council proposes to hold an open debate on 16 June 2010 chaired at the ministerial level.

Security Council resolutions 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004) and 1612 (2005) firmly place children on the peace and security agenda of the Council and strengthen collective action for child protection in armed conflict. Last August, the Council reiterated its commitment to children in armed conflict with the adoption of resolution 1882 (2009), which further strengthened the framework for child protection by opening the annexes to the report of the Secretary-General to include perpetrators that engage in patterns of sexual violence against children and of killing and maiming children, in addition to recruitment and use of children.

The information that is the basis of the work of the Working Group on Children and Armed Conflict is derived from the Security Council's monitoring and reporting mechanism on grave violations against children. Country-level task forces led by the highest United Nations representative in the country gather and verify information for that mechanism. Timely, accurate, objective reports on violations committed and on the perpetrators of such acts, is now being routinely considered by a dedicated Working Group on Children and Armed Conflict established pursuant to Security Council resolution 1612 (2005). The Working Group and the violations monitoring mechanism are the key elements of an innovative infrastructure for monitoring compliance and action on children and armed conflict at the level of the Council. To date, this mechanism has been implemented in the 14 country situations that are on the agenda of the Working Group.

Beyond the advances made in monitoring and reporting, genuine and tangible results have been noted on the ground. Action plans on the recruitment and use of children, as requested by the Council in its resolution 1460 (2003), are now part of a well-developed framework of dialogue with parties to conflicts to halt grave violations against children. Five action plans have been signed between the United Nations and various armed forces or groups. Over the past year, action plans have been signed with parties in the Philippines, Sri Lanka, Uganda, Nepal and the Sudan, and four others are currently under discussion. Similar action plans are now being developed for use with parties responsible for sexual violence and/or killing and maiming, as requested by the Council in resolution 1882 (2009).

One of the key developments of the past months is the renewed commitment of the Council to ensure compliance with its resolutions on children and armed conflict. Through resolutions 1539 (2004) and 1612 (2005), the Council has

expressed its intention to consider imposing targeted and graduated measures against parties to conflicts who commit grave violations against children and who fail to make concrete child protection commitments and undertake plans of action to address violations. In its resolution 1882 (2009), the Council requested enhanced communication between the Working Group on Children and Armed Conflict and the Council's sanctions committees. An initial step was undertaken by the sanctions committee on the Democratic Republic of the Congo in May, requesting the Special Representative of the Secretary-General for Children and Armed Conflict to brief members of the Committee with specific information on individuals recruiting and using children. This is a groundbreaking practical step towards holding those who commit grave violations against children accountable.

The Special Representative of the Secretary-General for Children and Armed Conflict continues to undertake field trips to situations of concern. Since the last open debate in April 2009, she has visited the Sudan, Nepal, Afghanistan and Uganda. She also sent a Special Envoy to Sri Lanka. These visits contributed to opening space for dialogue with parties to the conflicts, and to strengthening cooperation between concerned Governments and the United Nations to better protect children, while ensuring implementation of the Council's relevant resolutions and the recommendations and conclusions of its Working Group.

The ninth report of the Secretary-General on children and armed conflict (A/64/742-S/2010/181) provides an overview of the situation of children affected by conflict and actions taken for their protection over the reporting period. For the first time, the "list of shame" names parties responsible for patterns of sexual violence and killing and maiming of children along with those responsible for child recruitment and use. It also provides us with a list of persistent violators who have been listed in the report of the Secretary-General for at least five years.

The report reviews developments in 22 situations of concern and stresses progress made as well as remaining challenges. The report also highlights the following actionable recommendations aimed at moving forward the agenda of children and armed conflict:

1. Increased dialogue with all parties to the conflict for the preparation and implementation of action plans to stop recruitment and use of children, sexual violence against children and killing and maiming of children.

2. The need to devise a continuous, stable and long-term funding structure for the implementation of the actions plans, and firm commitment from donors that adequate resources are available to national Governments, the United Nations and partners for rehabilitation and reintegration of children formerly associated with armed forces and groups.

3. Ongoing consideration by the Council to ensure compliance with its own resolutions and international norms for the protection of children by imposing targeted measures on individuals responsible for grave violations against children, including by adding these grave violations as criteria for designation by sanctions committees; incorporating child protection in their groups of experts; streamlining communication between its sanctions committees and its Working Group on Children and Armed Conflict; and ensuring that the Special Representative of the Secretary-General is invited to regularly brief the committees on specific developments and provide information on child rights violators.

4. Development of capacities in the field to document incidents and trends on killing, maiming and sexual violence against children.

5. Inclusion of child protection advisers in all United Nations peace missions, including peacekeeping, peacebuilding and political missions. Child protection concerns should be reflected in all mission planning instruments and processes, including technical assessments, review missions and reports to the Council.

6. Support by peacekeeping operations to national forces in the context of military operations should be conditional upon compliance with international humanitarian and criminal law.

7. States parties to the Convention on the Rights of the Child are encouraged to strengthen national and international measures for the prevention of recruitment and use of children, in particular by signing and ratifying the Optional Protocol to the Convention on the involvement of children in armed conflict and by translating its provisions into their national legal framework.

The proposed open debate of the Security Council represents an opportunity for the members of the Council and other Member States to express their views on the report of the Secretary-General and to highlight progress made and ways of addressing remaining challenges for this critical agenda.